

REMARKS/ARGUMENTS

Claim 20 has been amended. Claims 5 through 13, 16 and 20 through 23 remain in the application. Re-examination and reconsideration of the application as amended is requested.

The examiner has rejected claim 20 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The examiner goes on to say that there is no antecedent basis for "the means for attaching the outer pouches". He points out that the claim was dependent on claim 5 which does not set forth the outer pouches. Outer pouches are set forth in claim 6. Applicant has amended claim 20 to be dependent on claim 6 and thus believes he has overcome this objection.

The examiner goes on to state that claim 5, 7 through 13 and 16 are rejected under 35 USC 103 as being unpatentable over Kohn in view of Siegel and Bird. The examiner states that Kohn shows a removable liner the four sides on the bottom. Siegel and

Amendments to the claims are reflected in the list of claims which
begin on page three of this paper.

Remarks/arguments begin on page eight of this paper.

Bird show removable pouches that can be placed on the sides of the liner. The examiner said it would be obvious for a person skilled in the art to combine these three patents to better organize the contents of the purse. Applicant believes this is a rather weak incentive for combinations and does not see any teaching, suggestion or incentive supporting the combination within the text of the three patents as required by *ACS Hospital Systems, Inc. vs. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 USPQ 29, 33 Fed. Cir. 1984).

In *In re: Wright*, 6 USPQ 2d 159, 1959(Fed.Cir. 1988). The court stated "factors, including unexpected results, new features, solutions of a different problem, novel properties, are all considered in the determination of obviousness, when such factors are described in the specifications. Applicant has clearly described these factors in the specifications. On page three, lines 4 through 12 and page 13, line 15 through page 14, line 19, applicant describes that the pouches were designed to allow the purse to be massed produced yet be customized by each individual purchasing

the purse. Applicant saw that the problem with most purses is that each individual has a specific requirement as to what they put into the purse. However, most purses are just made for general items. See the specifications on page 3, lines 4 through 12. To solve this problem and to solve the problem of huge costs for a custom made purse, applicant has designed several different pouches, all of which can be mass produced but each individual can take out the pouches she wants and place them in her purse so that her purse is customized to her desires. Neither Siegel, Bird nor Kohn talk about the manufacturing or customizing of purses.

The Court in *In re Peehs*, 612 F.2d 1287, 204 USPQ 835 (CCPA 1980) states "a patentable invention may lie in the discovery of a source of a problem even though the remedy may be obvious once the source of the problem has been identified. This is part of the subject matter as a whole which should always be considered in determining the obviousness of the invention under 35 USC 103. Applicant in this case has seen two problems which were not foreseen by the art. The first being that each individual

woman, especially business women, do not have purses made for their specifications. Thus each woman wants a purse customized in her own specific way. This would be virtually impossible since the manufacturing costs would be astronomical to make custom purses this way. This brings up the second problem of how you manufacture a purse this way. The applicant solved this problem by producing individual pouches for the different needs of women that can be placed in the purse at the woman's choosing. She also designed a method for selling the purse over the internet that allows them to choose specifically and customize their purses. Neither Kohn, Siegel, nor Bird deal with this problem. There is clearly no evidence in the record that a person of ordinary skill in the art at the time of the applicant's invention would have seen this problem. Thus, clearly claims 5, 7 through 13 and 16 are patentable over Kohn in view of Siegel and Bird.

The examiner has rejected claims 6 and 20 under 35 USC 103(a) as being unpatentable over the reference as applied to claim 5 and further in view of Cantor. The same argument that applies

above to claims 5 and 11 would also apply to claims 6 and 20. Cantor does not place any evidence on the record that there was any knowledge of a problem that applicant found and solved. Thus, applicant believes that claims 6 and 20 are patentable over Kohn in view of Siegel, Bird, and Cantor.

The examiner has rejected claims 21 and 22 under 35 USC 103(a) as being unpatentable over the reference as applied to claim 5 and further in view of Murphy. The same argument that applies above to claims 5 and 11 would also apply to claims 21 and 22. Here again, Murphy does not place any evidence on the record that there was any knowledge of a problem that applicant found and solved. Thus, applicant believes that claims 21 and 22 are patentable over Kohn in view of Siegel, Bird, and Murphy.

Applicant, being a working woman, has found that purses are willfully inadequate in carrying the items that she wishes to carry and have organized within here purse. She further looked at other working individuals and found that they too, although wanting different items from her, found their purses woefully

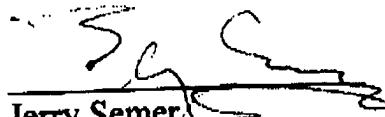
inadequate. Also, after talking with many other women who were not in the workforce, she found that purses on the whole, each individual had a different view at what should be in it and what should not. These wishes were woefully inaccurately taken care of in the market place. The applicant realized that the reason for this was that it was virtually impossible to produce a customized purse for each individual due to the manufacturing cost. Applicant has found a way to do this by creating different pouches for different uses and designing a liner for the purse that allows these pouches to be attached at the point where an individual wishes them to be. Thus, every woman should customize her own purse by placing the pouches in at the point she wished.

Further, applicant has found a way to do this in the market place electronically cutting down even further on the manufacturing expense. Thus, applicant believes that she has found a major problem with purses and has solved that problem.

Furthermore, it is believed that the claims, as now amended, define an invention which is unobvious over US Patents to Kohn,

Siegel, Murphy, Cantor, and PCT patent to Bird taken singularly or in combination. None of these patents point out the problem that applicant has found and spelled out in her specifications that individual women have individual needs that needs to be addressed in a purse. None of the purses on the market meet those specific needs. Thus, applicant has designed a purse that can be customized and yet still mass produced to meet the woman's needs.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance of claims 5 through 13, 16 and 20 through 23 at an early date is solicited.



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